

P2292.D1

09/587,049

Amendment D

**REMARKS**

Reconsideration of the subject application is respectfully requested.

Applicants, by their undersigned attorney thank the Examiner for the courtesies extended in their recent telephone interview. Applicants also acknowledge with appreciation the allowance of Claims 8-12, 15, 18, 20, 39, 40 and 43.

Claim 13 and 16, and their dependent claims were rejected under 35 U.S.C. 112 on the basis of lack of support in the specification for particular language recited in the claims. In response to the examiner's indication, applicants have amended claims 13 and 16 to reflect the language used in the specification.

In amended claims 13 and 16, "a rhythm of at least one of a daily, monthly and annual cycle calculated by use of the indicator over a specified period of time in the past" has been replaced with "circulatory indicators measured by the measuring means over a specific number of days in the past". The applicant believes that the substituted language in the amended claims is supported by the following parts of the specification originally filed, and the amended claims 13 and 16 are now in patentable form.

Referring to the specification beginning at page 144, line 3, it states, in part:

"Microcomputer 745 references circulatory parameters obtained over a fixed interval of time in the past which are stored in memory 741, and uses this data to regulate fragrance emission by first fragrance emitting means 500 and second fragrance emitting means 600." (emphasis added)

Referring to the specification beginning at page 145, line 20, it states, in part:

"Namely, microcomputer 745 reads out past circulatory parameters obtained over a fixed time interval (a specific number of days) which have been stored in memory 741, and calculates the transition average for the times when a specific parameter (for example, resistance RP) reaches its maximum and when

P2292.D1

09/587,049

Amendment D

it reaches its minimum. Based on the results of these calculations, microcomputer 745 obtains the time periods during which the user moves from a sedate to an aroused state (periods TA and TC in FIG. 123), and the time periods during which the user moves from an aroused to a sedate state (periods TB and TD in FIG. 123). Next, microcomputer 745 sets fragrance emission commands so that the appropriate fragrance of the selected mode will be released at a specified time of the day (for example, at the middle of the time period) in the time period determined as above." (emphasis added)

Referring to the specification beginning at page 148, line 18, it states, in part:

"Namely, microcomputer 745 reads out from memory 741 the [LF/HF] values for a fixed number of past days (the past week, for example), and obtains an average [LF/HF] value in each time period. Next, microcomputer 745 calculates the time of day when the average value of [LF/HF] reaches its maximum and minimum values.

Next, based on these calculated results, microcomputer 745 obtains the time periods during which the user moves from a sedate to an aroused state, and from an aroused to a sedate state. Microcomputer 745 then sets fragrance emission commands so that the appropriate fragrance of the selected mode will be released at a specified time of day (for example, at the middle of the time period) in the time periods obtained.

Subsequently, once the designated time of day is reached, microcomputer 745 carries out fragrance emission by driving first fragrance emitting means 500 or second fragrance emitting means 600." (emphasis added)

Claims 14, 17, 19, 21-24, 41 and 42 were also rejected under 35 U.S.C. 112, as being dependent upon a rejected base claim, namely claims 13 and 16. In view of the amendments to claims 13 and 16, and the foregoing remarks, it is believed that these claims are now also in patentable form.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration of the present application.

P2292.D1

09/587,049

Amendment D

**NOTE**

Applicants filed a Second Supplemental IDS that was received by the Patent Office on May 6, 2002, and a Fifth Supplemental IDS that was received by the Patent Office on September 29, 2003, as indicated on the attached page from the PAIR system. It is respectfully requested that the forms PTO-1449 filed with each of these IDSs be initialed by the Examiner and returned to Applicants with the next office communication.

Respectfully submitted,



Mark P. Watson

Registration No. 31,448

Please address all correspondence to:

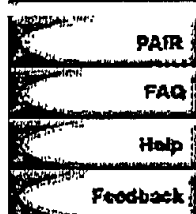
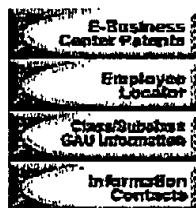
Epson Research and Development, Inc.  
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Customer No. 20178

Date: April 1, 2004



United States Patent and Trademark Office

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**PATENT APPLICATION INFORMATION RETRIEVAL****Other Links**

Search results for application number:09/587,049			
Application Number:	09/587,049	Customer Number:	20178
Filing or 371(c) Date:	06-02-2000	Status:	Final Rejection
Application Type:	Utility	Status Date:	01-26-2004
Examiner Name:	NASSER, ROBERT L	Location:	TC 3700 CEN FILES, CP2-3
Group Art Unit:	3736	Location Date:	03-12-2004
Confirmation Number:	6603	Earliest Publication No:	-
Attorney Docket Number:	P2292.D1	Earliest Publication Date:	-
Class/ Sub-Class:	600/300	Patent Number:	-
First Named Inventor:	KAZUHIKO AMANO, SUWA-SHI, (JP)	Issue Date of Patent:	-
Title Of Invention:	DEVICE FOR DIAGNOSING PHYSIOLOGICAL STATE AND FOR CONTROLLING THE SAME		

Select Search Option

 Continuity Data Search Display References Foreign Priority Publication Review

File History		
Number	Date	Contents Description
34	01-26-2004	Mail Final Rejection (PTOL - 326)
33	01-23-2004	Final Rejection
32	09-30-2003	Information Disclosure Statement (IDS) Filed
31	11-18-2003	Date Forwarded to Examiner
30	11-12-2003	Response after Non-Final Action
29	09-29-2003	Information Disclosure Statement (IDS) Filed
28	08-27-2003	Mail Supplemental Non-Final Action
27	08-20-2003	Supplemental Non-Final Action
26	08-08-2003	Mail Non-Final Rejection
25	08-08-2003	Non-Final Rejection
24	05-23-2003	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received
23	05-28-2003	Date Forwarded to Examiner
22	05-23-2003	Response after Non-Final Action
21	02-25-2003	Mail Non-Final Rejection
20	02-20-2003	Non-Final Rejection
19	12-11-2002	Date Forwarded to Examiner
18	12-03-2002	Response after Non-Final Action
17	11-26-2002	Information Disclosure Statement (IDS) Filed
16	09-17-2002	Mail Supplemental Non-Final Action

15	09-12-2002	Supplemental Non-Final Action
14	08-13-2002	Information Disclosure Statement (IDS) Filed
13	05-06-2002	Information Disclosure Statement (IDS) Filed
12	07-02-2002	Mail Non-Final Rejection
11	06-28-2002	Non-Final Rejection
10	03-26-2002	Information Disclosure Statement (IDS) Filed
9	04-16-2002	Date Forwarded to Examiner
8	04-09-2002	Response to Election / Restriction Filed
7	03-12-2002	Mail Restriction Requirement
6	03-11-2002	Requirement for Restriction / Election
5	08-07-2000	Case Docketed to Examiner in GAU
4	06-28-2000	Application Dispatched from OIPE
3	06-28-2000	Correspondence Address Change
2	06-23-2000	IFW Scan & PACR Auto Security Review
1	06-02-2000	Initial Exam Team nn

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P2292.D1

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventors: Kazuhiko Amano, et al.

Group Art Unit: 3736

Serial No.: 09/587,049

Examiner: R. Nasser

APR - 1 2004

Filed: June 02, 2000

OFFICIAL

Title: Device For Diagnosing Physiological State And Device For  
Controlling The Same

## CERTIFICATE OF MAILING

I hereby certify that this Information Disclosure Statement, and the documents attached hereto, are being deposited with the United States Postal Service as First Class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on this date.

Date: April 30, 2002

Ann F. George

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the practice under 37 C.F.R. § 1.97 and § 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed information are also enclosed.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Action under §1.113 or Notice of Allowance under §1.311 (37 CFR §1.97(c)).

The Commissioner is authorized to charge the fee of \$180.00 under 37 CFR §1.17(p) to Deposit Account No. 19-2746.

## CONCLUSION

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to Deposit Account 19-2746.


P2292.D1

09/587,049

Information Disclosure Statement

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be initialed and returned indicating that such information has been considered.

Respectfully submitted,

  
Mark P. Watson  
Registration No. 31,448

Please address all correspondence to:

Epson Research and Development, Inc.  
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150 River Oaks Parkway, Suite 225  
San Jose, CA 95134  
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Phone: (408) 952-6000  
Fax: (408) 954-9058

Date: April 30, 2002

Form PTO-1449 (REV 8-83)	DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	SERIAL NO. 09/ 049	ATTY DOCKET NO. P2292.D1
INFORMATION DISCLOSURE CITATION (USE SEVERAL SHEETS IF NECESSARY) PAGE 1 OF 1		APPLICANT Kazuhiko Amano, et al.	
		FILING DATE June 02, 2000	GROUP 3736

## U.S. PATENT DOCUMENTS

E.I.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	AA					
	AB					
	AC					
	AD					
	AE					

## FOREIGN PATENT DOCUMENTS

E.I.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	AF	04-300562	October 23, 1992			Abstract
	AG	03-217672	September 25, 1991			Abstract
	AH	60-48714	April 5, 1985			Partial Translation
	AI	59-108638	July 21, 1984			Partial Translation
	AJ	60-192842	December 21, 1985			Partial Translation
	AK	6-41743	June 3, 1994			Partial Translation
	AL	02-277435	November 14, 1990			Abstract
	AM	01-305962	December 11, 1989			Abstract
	AN	60-128605	August 29, 1985			Partial Translation
	AO	07-116138	May 9, 1995			Abstract
	AP	04-309362	October 30, 1992			Abstract
	AQ	WO 94/09912	May 11, 1994			

## OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

	AR	
	AS	
	AT	
EXAMINER		DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



APR - 1 2004

OFFICIAL

P2292.D1

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kazuhiko Amano, et al.

Group Art Unit: 3736

Serial No.: 09/587,049

Examiner: Robert L. Nasser

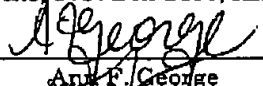
Filed: June 2, 2000

Title: DEVICE FOR DIAGNOSING PHYSIOLOGICAL STATE AND  
DEVICE FOR CONTROLLING THE SAME

## CERTIFICATE OF MAILING

I hereby certify that this Information Disclosure Statement and the documents attached hereto, are being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: September 25, 2003

  
Ann F. George

## FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §1.56, and in accordance with the practice under 37 C.F.R. §1.97 and §1.98, the Examiner's attention is directed to the document(s) listed on the enclosed Form PTO-1449. A copy of each listed document is enclosed, except, in the case where this application is filed after June 30, 2003, copies of any U.S. patents and U.S. patent application publications are not enclosed.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Action under §1.113 or Notice of Allowance under §1.311 (37 CFR §1.97(c)).

The Commissioner is authorized to charge the fee of \$180.00 under 37 CFR §1.17(p) to Deposit Account No.: 19-2746.

## CONCLUSION

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Respectfully submitted,



Mark P. Watson  
Registration No. 31,448

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Facsimile: (408) 954-9058

Date: September 25, 2003

Customer No. 20178  
Fifth Supplemental IDS

Form PTO-1449

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P2292.D1INFORMATION DISCLOSURE CITATION  
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PAGE 1 OF 1

APPLICANT

Kazuhiko Amano, et al.

FILING DATE

June 2, 2000

GROUP

3736

## U.S. PATENT DOCUMENTS

E.I.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	AA					
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					

## FOREIGN PATENT DOCUMENTS

E.I.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	AL	05-237351	September 17, 1993	Japan		Yes
	AM	6-211822	August 2, 1994	Japan		Yes
	AN					
	AO					
	AP					
	AQ					

## OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

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	AT	
EXAMINER		DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.